

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA,
STATE OF NORTH CAROLINA,
STATE OF CALIFORNIA,
STATE OF COLORADO,
STATE OF CONNECTICUT,
STATE OF ILLINOIS,
COMMONWEALTH OF
MASSACHUSETTS,
STATE OF MINNESOTA,
STATE OF OREGON, and
STATE OF TENNESSEE,

Plaintiffs,

v.

REALPAGE, INC.,
CAMDEN PROPERTY TRUST,
CORTLAND MANAGEMENT, LLC,
CUSHMAN & WAKEFIELD, INC.,
GREYSTAR REAL ESTATE
PARTNERS, LLC,
LIVCOR, LLC,
PINNACLE PROPERTY
MANAGEMENT SERVICES, LLC, and
WILLOW BRIDGE PROPERTY
COMPANY, LLC

Defendants.

Case No. 1:24-cv-00710-LCB-JLW

**CONSENT MOTION FOR EXTENSION
OF TIME AND WORD LIMIT FOR
DEFENDANTS' MOTIONS TO DISMISS**

Pursuant to Federal Rule of Civil Procedure 6(b) and Local Rules 6.1(a) and 7.3(d)(1), Defendants Camden Property Trust, Cushman & Wakefield, Inc., Greystar Real Estate Partners, LLC, LivCor LLC, Pinnacle Property Management Services, LLC, and Willow Bridge Property Company, LLC (“Moving Defendants”), with the consent of Plaintiffs and subject to this Court’s approval, and to the reservation of rights contained in paragraph 4 below, agree and stipulate to the following schedule and word limits for Moving Defendants’ forthcoming motions to dismiss Plaintiffs’ First Amended Complaint (“FAC”). Among other proposals for this Court’s consideration, as discussed below, Moving Defendants, with Plaintiffs’ consent following a meet-and-confer, stipulate and propose that their time to respond to the FAC should be extended from March 10, 2025 to April 10, 2025, and that this District’s word limits be modified to promote efficient briefing of common issues. In support, Moving Defendants respectfully submit as follows:

1. On January 7, 2025, Plaintiffs filed their FAC, adding Moving Defendants and eight new state law causes of action. (Dkt. 47.)
2. Counsel for Moving Defendants executed Waivers of the Services of Summons (Dkts. 52–53, 55–57; 61), and their deadlines to answer or otherwise respond to the FAC are currently March 10, 2025.
3. Good cause exists to extend Moving Defendants’ deadline to respond to the FAC and to modify each Moving Defendant’s 6,250 word limit for motions filed in this District. Moving Defendants have not previously sought extensions of time to respond to the FAC, and the additional time would further Moving Defendants’ efforts to efficiently address issues relevant to all Moving Defendants in a joint motion, rather than in overlapping motions from each defendant. Although each Moving Defendant would be entitled to 6,250 words in an individual motion to dismiss, representing at least 31,250 words across all Moving Defendants, the interests of the Court

and all parties to the litigation would be better served by joint briefing of issues common to all Moving Defendants in a brief that exceeds that 6,250 word limit, while also providing Moving Defendants with the ability to address individual issues in briefs that are less than the 6,250 word limit—with a total aggregate word count of 22,000 words across all moving briefs. This proposed modification represents a near-10,000 word reduction from the 31,250 words collectively provided to Moving Defendants by Local Rule 7.3(d). Modifying the 6,250 word limit for motions filed in this District in this fashion is also warranted because the FAC asserts liability under various federal and state antitrust statutes against Moving Defendants, at least some of which dispute that they are subject to personal jurisdiction or are the proper party for Plaintiffs' claims. Moving Defendants thus respectfully submit that modifying the word count limit is appropriate under the circumstances, with corresponding modifications to the word count limits for the response and reply briefs.

4. Except as to the defense of insufficiency of service of process in this action, no defense, including, without limitation, defenses based upon lack of personal jurisdiction, is prejudiced or waived by Moving Defendants' executing, agreeing to, or filing this request.

Moving Defendants respectfully move the Court for an Order providing:

1. Moving Defendants' time to answer, move to dismiss, or otherwise respond to the FAC is hereby modified as follows:

- A. Moving Defendants shall answer or move to dismiss the FAC no later than April 10, 2025;
- B. Plaintiffs shall file oppositions to any motions to dismiss no later than seven weeks after service of the motions; and
- C. Moving Defendants shall file their reply briefs in support of any motions to dismiss no later than four weeks after service of Plaintiffs' oppositions.

2. The word limitations applicable to the briefing on Moving Defendants' motions to dismiss are as follows:

- A. 22,000 total words for Moving Defendants' motions to dismiss, distributed across a joint motion and individual motions;
- B. 22,000 total words for Plaintiffs' oppositions to Moving Defendants' motions to dismiss; and
- C. 11,000 total words for Moving Defendants' replies in support of their motions to dismiss.

Respectfully submitted this 4th day of March, 2025.

/s/ Caroline M. Gieser

Caroline M. Gieser
(NC Bar No.: 51610)
Shook, Hardy & Bacon LLP
1230 Peachtree St., Ste. 1200
Atlanta, GA 30309
Tel: (470) 867-6013
cgieser@shb.com

Ryan M. Sandrock
(LR 83.1(d) Counsel)
Shook, Hardy & Bacon LLP
555 Mission Street, Suite 2300
San Francisco, CA 94105
Tel: (415) 544-1900
rsandrock@shb.com

Laurie A. Novion
(LR 83.1(d) Counsel)
Shook, Hardy & Bacon LLP
2555 Grand Blvd.
Kansas City, MO 64108-2613
Tel: (816) 474-6550
lnovion@shb.com

Maveric Ray Searle
(LR 83.1(d) Counsel)
Meghan E.H. Keeley
(LR 83.1(d) Counsel)
Shook, Hardy & Bacon LLP
111 S. Wacker Dr., Ste. 4700
Chicago, IL 60606
Tel: (312) 704-7700
msearle@shb.com
mkeeley@shb.com

*Attorneys for Defendant Camden Property
Trust*

/s/ James P. McLoughlin

James P. McLoughlin
N.C. Bar No. 13795
Moore & Van Allen PLLC
100 North Tryon Street Charlotte, NC 28202
Phone: (704) 331-1000
Fax: (704) 331-1159
mcloughlinj@mvalaw.com

Karen Hoffman Lent
(LR 83.1(d) Counsel)
Boris Bershteyn
(LR 83.1(d) Counsel)
Evan Kreiner
(LR 83.1(d) Counsel)
Sam Auld
(LR 83.1(d) Counsel)
SKADDEN, ARPS,
SLATE, MEAGHER & FLOM LLP
One Manhattan West
New York, NY 10001
Phone: (212) 735-3000
Fax: (212) 735-2000
karen.lent@skadden.com
boris.bershteyn@skadden.com
evan.kreiner@skadden.com
sam.auld@skadden.com

*Attorneys for Defendant Greystar Real Estate
Partners, LLC*

/s/ Eric Steven Goodheart

Eric Steven Goodheart
North Carolina Bar No. NC-53476
DLA PIPER LLP (US)
4141 Parklake Avenue, Suite 300
Raleigh, North Carolina 27612-2350
eric.goodheart@us.dlapiper.com
Tel: (919) 786-2012
Fax: (919) 591-0412

Gregory J. Casas
(LR 83.1(d) Counsel)
DLA PIPER LLP (US)
303 Colorado Street, Suite 3000
Austin, Texas 78701
greg.casas@us.dlapiper.com
Tel: (512) 457-7290
Fax: (512) 721-2390

Carsten M. Reichel
(LR 83.1(d) Counsel)
DLA Piper LLP (US)
500 Eighth Street, NW
Washington, DC 20004
carsten.reichel@us.dlapiper.com
Tel: (202) 799-4640
Fax: (202) 799-5640

Becky L. Caruso
(LR 83.1(d) Counsel)
DLA Piper LLP (US)
51 John F. Kennedy Parkway, Suite 120
Short Hills, NJ 07078-2704
becky.caruso@us.dlapiper.com
Tel: (973) 520-2550
Fax: (973) 520-2551

*Attorneys for Willow Bridge Property
Company, LLC*

/s/ Michael Montecalvo

Michael Montecalvo
N.C. Bar No. 24943
Aaron J. Horner
N.C. Bar No. 56335
WOMBLE BOND DICKINSON (US) LLP
One West Fourth Street
Winston-Salem, NC 27101
Telephone: (336) 721-3600
Facsimile: (336) 721-3660
E-Mail: aj.horner@wbd-us.com
E-Mail: michael.montecalvo@wbd-us.com

Kenneth Reinker, D.C. Bar No. 999958
Jeremy Calsyn, D.C. Bar No. 467737
Cleary Gottlieb Steen and Hamilton LLP
2112 Pennsylvania Avenue, NW
Washington, D.C. 20037
Telephone: (202) 974-1522
Facsimile: (202) 974-1999
E-Mail: jcalsyn@cgsh.com
E-Mail: kreinker@cgsh.com

Joseph Kay, N.Y. Bar No. 5410055
Cleary Gottlieb Steen and Hamilton LLP
One Liberty Plaza
New York, NY 10006
Telephone: (212) 225-2745
Facsimile: (212) 225-3999
E-Mail: jkay@cgsh.com

*Attorneys for Defendants Cushman &
Wakefield, Inc. and Pinnacle Property
Management Services, LLC*

/s/ Kearns Davis

Kearns Davis, NC Bar. No. 22014
Brooks, Pierce, McLendon, Humphrey &
Leonard
2000 Renaissance Plaza
230 North Elm Street
Greensboro, NC 27401
Telephone: 336-373-8850
Facsimile: 336-378-1001
Email: kdavis@brookpierce.com

Attorneys for Defendant LivCor, LLC